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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/774,216	02/06/2004	Michael L. McClelland	EMER 2630	8119
28997	7590	11/18/2004	EXAMINER	
HARNES, DICKEY, & PIERCE, P.L.C			NGUYEN, HANH N	
7700 BONHOMME, STE 400				
ST. LOUIS, MO 63105			ART UNIT	PAPER NUMBER
			2834	

DATE MAILED: 11/18/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. 10/774,216	Applicant(s) MCCLELLAND ET AL.	
	Examiner Nguyen N Hanh	Art Unit 2834	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☒ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 06 February 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____.  |

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1. Claims 1-3, 6, 10, 11 and 15 are rejected under 35 U.S.C. 102(b) as being anticipated by Tanaka et al.

Regarding claim 1, Tanaka et al. disclose a dynamoelectric machine comprising: a stator core (10 in Fig. 1) having a longitudinal axis and a length along said axis; wire windings (11) on said stator core; and a rotor (5) mounted for rotation relative to the stator core about said axis to interact magnetically with the stator core and windings, the rotor having a length along said axis; wherein said length of the rotor is less than said length of the stator core (Fig. 1).

Regarding claim 2, Tanaka et al. also disclose a dynamoelectric machine wherein the rotor is positioned entirely within the stator core.

Regarding claim 3, Tanaka et al. also disclose a dynamoelectric machine wherein the rotor is longitudinally centered in the stator core.

Regarding claim 6, Tanaka et al. also disclose a dynamoelectric machine further comprising two endshields (6d and 7d in Fig. 3) defining opposite ends of the machine, at least one of the endshields having a portion which extends to a longitudinal position within the stator core.

Regarding claim 11, Tanaka et al. also disclose a dynamoelectric machine comprising: a stator core (10) having a longitudinal axis and a length along said axis; wire windings (11) on said stator core; and a rotor (5) mounted for rotation relative to the stator core about said axis to interact magnetically with the stator core and windings; two endshields (6d and 7d in Fig. 3) defining opposite ends of the machine, at least one of the endshields having a portion which extends to a longitudinal position within the stator core.

Regarding claims 10 and 15, Tanaka et al. also disclose a dynamoelectric machine wherein said machine is a switched reluctance type machine (inherent because this machine does not require brushes or slip rings).

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. Claims 4,5,12 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tanaka et al. in view of Peter et al.

Regarding claims 4 and 12, Tanaka et al. show all limitations of the claimed invention except showing a dynamoelectric machine wherein at least one of the bearings is positioned longitudinally within the stator core.

However, Peter et al. disclose a motor structure wherein at least one of the bearings is positioned longitudinally within the stator core (Fig. 4) for the purpose of reducing the size of the motor (Col. 3, lines 26-28).

Since Tanaka et al. and Peter et al. are in the same field of endeavor, the purpose disclosed by Peter et al. would have been recognized in the pertinent art of Tanaka et al.

It would have been obvious at the time the invention was made to a person having an ordinary skill in the art to modify Tanaka et al. by arranging at least one of the bearings longitudinally within the stator core as taught by Peter et al. for the purpose of reducing the size of the motor.

Regarding claims 5 and 13, Peter et al. show an electric machine wherein the rotor includes a recess for receiving said bearing.

3. Claims 7 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tanaka et al. in view of Matsushita et al.

Regarding claim 7, Tanaka et al. show all limitations of the claimed invention except showing a dynamoelectric machine wherein at least one said endshield comprises a housing for mounting electronic components of the machine.

However, Matsushita et al. disclose a motor structure wherein at least one said endshield comprises a housing for mounting electronic components of the machine (Col. 1, lines 6-10) for the purpose of reducing assembly work (Col. 1, lines 60-68).

Since Tanaka et al. and Matsushita et al. are in the same field of endeavor, the purpose disclosed by Matsushita et al. would have been recognized in the pertinent art of Tanaka et al.

It would have been obvious at the time the invention was made to a person having an ordinary skill in the art to modify Tanaka et al. by using endshield as a housing for mounting electronic components as taught by Matsushita et al. for the purpose of reducing reducing assembly work.

Regarding claim 8, Matsushita et al. also disclose a motor wherein at least one said endshield has a cavity for holding one or more capacitors (15).

4. Claims 9 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tanaka et al. in view of Adams.

Regarding claims 9 and 14, Tanaka et al. show all limitations of the claimed invention except showing a dynamoelectric machine further comprising a cooling jacket for removing heat from the machine, the cooling jacket being in heat transfer communication with the stator core along the entire said length of the stator core.

However, Adams discloses a motor structure further comprising a cooling jacket (212 in Fig. 1) for removing heat from the machine, the cooling jacket being in heat transfer communication with the stator core along the entire said length of the stator core for the purpose of improving the machine cooling.

Since Tanaka et al. and Adams are in the same field of endeavor, the purpose disclosed by Adams would have been recognized in the pertinent art of Tanaka et al.

It would have been obvious at the time the invention was made to a person having an ordinary skill in the art to modify Tanaka et al. by using a cooling jacket for removing heat from the machine, the cooling jacket being in heat transfer communication with the stator core along the entire said length of the stator core as taught by Adams for the purpose of improving the machine cooling.

***Conclusion***

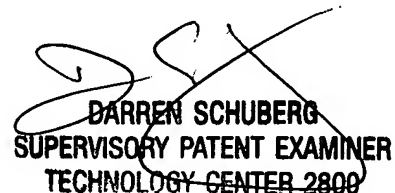
5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hanh N Nguyen whose telephone number is (571) 272-2031. The examiner can normally be reached on Monday through Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Darren Schuberg, can be reached on (571) 272-2044. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9306 for regular communications and (703) 872-9306 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1782.

HNN

November 14, 2004

  
DARREN SCHUBERG  
SUPERVISORY PATENT EXAMINER  
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